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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FILED
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FCC

In the Matter of)
)
1998 Biennial Regulatory Review --) WT Docket No. 98-143
Amendment of Part 97 of the)
Commission's Amateur Service Rules.)
)
FCC Report and Order) FCC Report and
Amateur Radio Restructuring) Order 99-412
Released December 30, 1999)
)

To: The Commission

Cc: Chairman William E. Kennard
Commissioner Susan Ness
Commissioner Michael Powell
Commissioner Harold W. Furchtgott-Roth
Commissioner Gloria Tristani

PETITION FOR PARTIAL RECONSIDERATION

Date: February 7, 2000

Prepared by and submitted on behalf of:

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This is a request for reconsideration of your decision, as stated in Part 16 of the Report and Order (R&O), that "we will not grant the request of commenters that we upgrade the operator privileges of individuals who held a Class A operator license prior to 1951 to Amateur Extra Class operator privileges."

It is believed that a further review and consideration of the history of the Class A operator license will lead to the conclusion that it is fully justified and appropriate to upgrade former Class A licensees to the Amateur Extra Class license as a part of this R&O. The pertinent parts of the history of the Class A license are discussed in the next three paragraphs.

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1 - Prior to 1951, the Class A license was the top license available to amateur operators and it conferred full privileges on all amateur frequencies. An amateur had to be licensed for at least one year and pass the most difficult amateur test, administered by FCC Examiners, to obtain a Class A license. This license conferred certain frequency and operating mode privileges that were not available to lower class licensees. The Class A license was widely recognized as the top amateur radio license.

2 - As discussed in Part 9 of the R&O, in 1951 several new amateur license classes were established including the Amateur Extra Class with the apparent intent that it would replace the Class A as the new top amateur license. Regrettably, the Class A licensees were not converted to Amateur Extra Class at that time to maintain their previously earned top amateur license status. Instead, their Class A licenses were converted to new Advanced Class licenses that were considered to be a lesser license. No operating privileges were taken away at that time, however, so that both the new Advanced and new Amateur Extra Class licensees had exactly the same full amateur operating privileges on all amateur bands. This change, however, began the downgrading of the former Class A license from being the top amateur license.

3 - Several years later some operating privileges were taken away from the former Class A licensees and these privileges were then re-designated for the exclusive use of Amateur Extra Class licensees. Several further revisions in the privileges have since occurred and currently, as noted in Part 10 of the R&O, Amateur Extra Class licensees have authorization to operate on 175 kHz in the HF bands that are not available to former Class A licensees. This loss of some operating privileges completed the downgrading of the former Class A license from it being the top amateur license with full operating privileges to it now being a lesser license (Advanced Class) with lesser operating privileges.

It has long seemed unreasonable that former Class A licensees were summarily downgraded from their previous top amateur license status to the current lesser license and lesser privileges status. It is similar to a lawyer passing his bar examination and being fully admitted to his state bar. Then at a later date, he is told the rules have changed for no substantive reason and that now he can no longer handle all of the cases he could handle previously. This would not be fair to the lawyer and, similarly, the downgrading has not been fair to the former Class A licensees. For these reasons, it is requested the downgrading be reversed in this R&O, which appears to be an appropriate proceeding for restoring the former Class A licensees to their previous top license status.

Perhaps an affirmative decision could be easy at this time since, as noted in Part 14 of the R&O, "the primary difference between the Advanced Class operator license and the Amateur Extra Class operator license is not the difficulty of the Amateur Extra Class written examination but, rather, the 20 wpm telegraphy examination which, as we explain below, we are eliminating as a requirement to obtain the Amateur Extra Class operator license." This statement says the two license classes are basically the same except for the telegraphy test that is being eliminated by this R&O. In fact, it seems to logically argue that all current Advanced and Amateur Extra licensees should be combined into a single license class effective with the implementation of this R&O. At the minimum, it should make a case for at least upgrading the former top status Class A licensees to Amateur Extra Class in this R&O after consideration of the unwarranted downgrading of these licensees since 1951.

Summarizing, it is requested that reconsideration be given to the status of former Class A licensees in this R&O based on the historical information detailed in this submission. Further, it is specifically requested that a decision be made to upgrade these licensees to Amateur Extra Class in this R&O to overcome the downgrading which has happened since 1951 and to restore their previous status in the amateur licensing structure.

Respectfully submitted by:



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Current Advanced Class and former Class A Licensee